

Handle means feed, manipulate, crate, shift, transfer, immobilize, restrain, treat, or otherwise control the movement or activities of any wild mammal or bird.

Holding area means a designated area at or within a terminal facility that has been specially prepared to provide shelter and other requirements of wild mammals or birds being transported to the United States and in which such mammals or birds are maintained prior to, during, or following such shipment.

Kept clean means maintained free from dirt, trash, refuse, excreta, remains from other cargo, and impurities of any type.

Marine mammal means an individual of a species of the orders Cetacea, Pinnipedia, or Sirenia, or a polar bear (*Ursus maritimus*) or sea otter (*Enhydra lutris*).

Noncompatible means not capable of existing together in harmony.

Nonhuman primate means any nonhuman member of the order Primates.

Normal rigors of transportation means the stress that a wild animal can be expected to experience as a result of exposure to unaccustomed surroundings, unfamiliar confinement, caging, unfamiliar sounds, motion, and other conditions commonly encountered during transport.

Primary enclosure means any structure used to restrict a mammal or bird to a limited amount of space, such as a cage, room, pen, run, stall, pool, or hutch.

Professionally accepted standards means a level of practice established as acceptable by a body of qualified persons of the veterinary medical profession.

Psychological trauma means an episode of exposure to stressful conditions resulting in significant behavioral abnormality including, but not limited to, manifestations of unaccustomed aggressiveness, self-mutilation, or refusal of food or water.

Raptor means a live migratory bird of the order Falconiformes or the order Strigiformes.

Sanitize means to make physically clean and, as far as possible, free of toxic or infectious agents injurious to the health of wild mammals or birds.

Scheduled departure time means the time listed on a timetable of departures and arrivals or, in the absence of a timetable, the time of departure agreed to by a carrier and shipper.

Shipper means any person, other than a carrier, involved in the transport of wild animals to the United States regardless of the purpose of such transport; e.g., exporter, importer, or agent.

Terrestrial mammals means mammals other than marine mammals.

Transport means to move, convey, carry, or ship by any means, or to deliver or receive for the purpose of movement, carriage, or shipment, by air, land, or sea.

Transporting device means any vehicle or device used to transport an animal between a conveyance and a terminal facility, in and around a terminal facility of a carrier, or within a conveyance.

Unweaned means a bird or mammal incapable of feeding itself independently.

Wild means the same as fish or wildlife, as defined in §10.12 of this chapter.

§ 14.103 Prohibitions.

Unless the requirements of this subpart are fully satisfied and all other legal requirements are met, it is unlawful for any person to transport to the United States, cause to be transported to the United States, or allow to be transported to the United States any live wild mammal or bird. It shall be unlawful for any person to import, to transport, or to cause or permit to be transported to the United States any wild mammal or bird under inhumane or unhealthful conditions or in violation of this subpart J.

§ 14.104 Translations.

Any certificate or document required by this subpart to accompany a mammal or bird transported to the United States and written in a foreign language must be accompanied by an accurate English translation.

§ 14.105 Consignment to carrier.

(a) No carrier shall accept any live wild mammal or bird for transport to the United States that has not been examined within 10 days prior to commencement of transport to the United

States by a veterinarian certified as qualified by the national government of the initial country from which the mammal or bird is being exported. If the national government of such country does not certify veterinarians, then the veterinarian must be certified or licensed by a local government authority designated by the national government as authorized to certify veterinarians.

(b)(1) A certificate of veterinary medical inspection, signed by the examining veterinarian, stating that the animal has been examined, is healthy, appears to be free of any communicable disease, and is able to withstand the normal rigors of transport must accompany the mammal or bird; the certificate should include the veterinarian's license number, certification number, or equivalent. A mammal in the last third of its pregnancy, if this is detectable using professionally accepted standards, shall not be accepted for transport to the United States except for medical treatment and unless the examining veterinarian certifies in writing that the animal has been examined, the state of pregnancy has been evaluated, and that, despite the medical condition requiring treatment, the animal is physically able to withstand the normal rigors of transportation to the United States.

(2) A nursing mother with young, an unweaned mammal unaccompanied by its mother, or an unweaned bird shall be transported only if the primary purpose is for needed medical treatment and upon certification in writing by the examining veterinarian that the treatment is necessary and the animal is able to withstand the normal rigors of transport. Such an unweaned mammal or bird shall not be transported to the United States for medical treatment unless it is accompanied at all times by and completely accessible to a veterinary attendant.

(c) A sick or injured wild mammal or bird shall be permitted transport to the United States only if the primary purpose of such transport is for needed medical treatment and upon certification in writing by the examining veterinarian that the treatment is necessary and the animal is able to withstand the normal rigors of travel in its

present condition. A sick or injured animal shall be accompanied at all times throughout the transport process by a veterinary attendant qualified to care for and treat it, with continuous access to the animal. This individual shall be in possession of or have ready access to all medications to be administered during the transport.

(d) No carrier shall accept any wild mammal or bird for transport to the United States presented by the shipper less than 2 hours or more than 6 hours prior to the scheduled departure of the conveyance on which it is to be transported. The carrier shall notify the crew of the presence of live animal shipments.

§ 14.106 Primary enclosures.

No carrier shall accept for transport to the United States any live wild mammal or bird in a primary enclosure that does not conform to the following requirements:

(a) The Container Requirements of the Live Animal Regulations (LAR), 20th edition, October 1, 1993, published by the International Air Transport Association (IATA) shall be complied with by all parties transporting wild mammals or birds to the United States. The incorporation by reference of the LAR was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from IATA, 2000 Peel St., Montreal, Quebec, Canada H3A 2R4. Copies may be inspected at the U.S. Fish and Wildlife Service, 4401 N. Fairfax Dr., Arlington, VA 22203 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(b) A primary enclosure shall be constructed so that—

(1) The strength of the enclosure is sufficient to contain the mammal or bird and to withstand the normal effects of transport;

(2) The interior of the enclosure is free from any protrusion that could be injurious to the mammal or bird within;